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6 Attorneys for Defendants  
**CITIMORTGAGE, INC.; CITIBANK, N.A.;**  
**WOLFE & WYMAN LLP; BRIAN H. GUNN;**  
**ANDREW A. BAO and HEATHER S. KIM**

## 9 UNITED STATES BANKRUPTCY COURT

## 10 EASTERN DISTRICT OF CALIFORNIA

## 11 FRESNO DIVISION

12 In Re

13 SALMA AGHA,

14 Debtor.

15 SALMA AGHA,

16 Plaintiff/Debtor,

17 v.

18 THE UNITED STATES OF AMERICA,  
et al.

19 Defendants.

20 Bankruptcy No. 10-16183-B

21 Chapter 7

22 Adversary No. 14-01155-B

23 MST 001

24 **REQUEST FOR JUDICIAL NOTICE  
BY DEFENDANTS IN SUPPORT OF  
MOTIONS TO DISMISS AND STRIKE  
PLAINTIFF'S ADVERSARY  
COMPLAINT**

Date: April 9, 2015  
 Time: 10:00 a.m.  
 Place: Department B  
 U.S. Courthouse  
 510 19<sup>th</sup> Street  
 Bakersfield, CA

25 Hon. Richard Lee

26 Defendants CITIMORTGAGE, INC., CITIBANK, N.A. (hereinafter collectively "CMI"),  
 27 WOLFE & WYMAN LLP, BRIAN H. GUNN, ANDREW A. BAO, AND HEATHER S. KIM  
 (hereinafter collectively "Wolfe & Wyman Defendants") (CMI and Wolfe & Wyman Defendants  
 28 hereinafter collectively referred to as "Moving Defendants") hereby request the Court take judicial

1 notice of the following documents in support of Moving Defendants' motions to dismiss and strike  
 2 Plaintiff's Adversary Complaint.

3       1. Deed of Trust recorded on January 17, 2003 in Kern County Official Records as  
 4 Document Number 0203009500, a true and correct copy of which is attached hereto as **Exhibit A**.

5       2. Assignment of Deed of Trust recorded on March 8, 2010 in Kern County Official  
 6 Records as Document Number 0210030116, a true and correct copy of which is attached as  
 7 **Exhibit B**.

8       3. Notice of Default recorded on March 8, 2010 in Kern County Official Records as  
 9 Document Number 0210030118, a true and correct copy of which is attached as **Exhibit C**.

10      4. Substitution of Trustee recorded on March 8, 2010 in Kern County Official Records  
 11 as Document Number 0210030117, a true and correct copy of which is attached as **Exhibit D**.

12      5. Court Docket, U.S. Bankruptcy Court, Eastern District (Fresno), Case No. 10-16183-  
 13 A-7, a true and correct copy of which is attached as **Exhibit E**.

14      6. Order granting Plaintiff a discharge under Section 727 of Title 11, United States  
 15 Code, entered and filed on September 23, 2010, in the U.S. Bankruptcy Court, Eastern District  
 16 (Fresno), Case No. 10-16183-A-7, a true and correct copy of which is attached as **Exhibit F**.

17      7. Certificate of Notice served and filed on September 23, 2010, in the U.S. Bankruptcy  
 18 Court, Eastern District (Fresno), Case No. 10-16183-A-7, a true and correct copy of which is  
 19 attached as **Exhibit G**.

20      8. Final Decree issued by the U.S. Bankruptcy Court ordering the estate closed and the  
 21 trustee discharged, filed on January 7, 2011, in the U.S. Bankruptcy Court, Eastern District (Fresno),  
 22 Case No. 10-16183-A-7, a true and correct copy of which is attached as **Exhibit H**.

23      9. Notice of Trustee's Sale recorded on August 16, 2011 in Kern County Official  
 24 Records as Document Number 000211103865, a true and correct copy of which is attached as  
 25 **Exhibit I**.

26      10. Trustee's Deed Upon Sale recorded on May 29, 2012 in Kern County Official  
 27 Records as Document Number 000212071602, a true and correct copy of which is attached as  
 28 **Exhibit J**.

1       11. Superior Court of California, County of Kern, Register of Actions/Case Docket for  
 2 Case Number S-1500-CL-269189, a true and correct copy of which is attached as **Exhibit K**.

3       12. Complaint filed on July 23, 2013, with the Superior Court of California, County of  
 4 Kern, Case Number S-1500-CV-279897 (“Khan I”), a true and correct copy of which is attached as  
 5 **Exhibit L**.

6       13. Order on Defendants’ F.R.Civ.P. 12 Motion to Dismiss executed by Honorable  
 7 Lawrence J. O’Neill on and filed September 30, 2013 in Khan I, a true and correct copy of which is  
 8 attached as **Exhibit M**.

9       14. Judgment of Dismissal entered by R. Gonzalez on September 30, 2013 in Khan I, a  
 10 true and correct copy of which is attached as **Exhibit N**.

11       15. Opposition to Issuance of Order to Show Cause re: Preliminary Injunction filed by  
 12 CMI on August 15, 2013 in Khan I, a true and correct copy of which is attached as **Exhibit O**.

13       16. *Ex Parte* Motion to Reopen Plaintiff’s Chapter 7 Bankruptcy filed by the U.S. Trustee  
 14 on September 13, 2012, in U.S. Bankruptcy Court, Eastern District Case No. 10-16183-A-7, a true  
 15 and correct copy of which is attached as **Exhibit P**.

16       17. Order Granting U.S. Trustee’s Motion to Reopen Bankruptcy filed on September 18,  
 17 2012, in U.S. Bankruptcy Court, Eastern District Case No. 10-16183-A-7, a true and correct copy of  
 18 which is attached as **Exhibit Q**.

19       18. Adversary Complaint filed on August 1, 2013, in United States Bankruptcy Court,  
 20 Eastern District of California, Case Number 13-01086A (“Khan II”), a true and correct copy of  
 21 which is attached as **Exhibit R**.

22       19. Khan II Docket, a true and correct copy of which is attached as **Exhibit S**.

23       20. Opposition to Plaintiff’s *Ex Parte* Motion to Vacate Lock Out and Restore Plaintiff  
 24 Salma Agha to Possession of 11622 Harrington Street, Bakersfield, California 9331 filed by CMI on  
 25 January 2, 2014 in Khan II, a true and correct copy of which is attached as **Exhibit T**.

26       21. *Ex Parte* Motion for Relief from Automatic Stay filed by CMI on August 4, 2014 in  
 27 Khan II, a true and correct copy of which is attached as **Exhibit U**.



22. United States District Court – Central District of California Docket for Case Number 2:14-cv-03490 (“Khan III”), a true and correct copy of which is attached as **Exhibit V**.

23. Alias Summons issued in Khan III, a true and correct copy of which is attached as  
**Exhibit W.**

DATED: January 27, 2015 WOLFE & WYMAN LLP

By: /s/ Meagan S. Tom, SBN 273489

/S/ Meagan S. Tom  
ANDREW A. BAO

ANDREW A. BAO  
MEAGAN S. TOM

MURKIN, S. TOM  
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